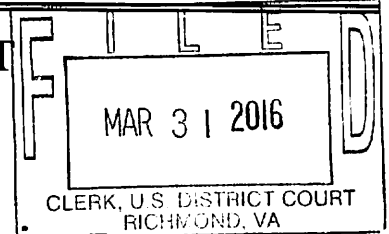


UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia



United States of America
v.
RICHARD CHARLES FREY

Case No.

3:16mj TS
91A-RH-7283159

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 9, 2016 in the county of Chesterfield in the
Eastern District of Virginia, the defendant(s) violated:

*Code Section**Offense Description*

Title 18, United States Code,
Section 2113 (a)

knowingly and unlawfully take by force, violence and intimidation, from the person and presence of another money belonging to and in the care, custody, control, management, and possession of the Wells Fargo Bank.

This criminal complaint is based on these facts:

See attached affidavit, incorporated by reference herein.

☒ Continued on the attached sheet.

Complainant's signature

Michael Morgott, Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/31/2016

Roderick C. Young
United States Magistrate Judge

Judge's signature

City and state: Richmond, VA

Roderick C. Young, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Your affiant, Michael Morgott, being duly sworn, hereby states:

I. AFFIANT'S BACKGROUND AND EXPERIENCE

1. Your affiant is a law enforcement officer within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in 18 U.S.C. § 2516. I am a Detective employed with the Chesterfield County Police Department – Crimes Against Person Unit - and am assigned as a Task Force Officer with the Federal Bureau of Investigation (FBI) - Central Virginia Violent Crimes Task Force. I have been so employed by the Chesterfield County Police Department since November 2002, and am assigned to the Richmond, Virginia, Field Office. As part of my duties as a Detective and FBI Task Force Officer I have been involved in numerous investigations involving bank robberies, commercial robberies, narcotics, homicides and other violent crimes. I have personally participated in the investigation set forth below.

2. I am familiar with the facts and circumstances of this investigation through: my personal participation; discussions with other agents of the FBI and other law enforcement agencies; my discussions with witnesses involved in the investigation; and my review of records and reports relating to this investigation. Unless otherwise noted, wherever in this affidavit I assert that a statement was made, the information was provided by another FBI agent, law enforcement officer or witness who may have had either direct or hearsay knowledge of that statement and to whom I or others have spoken or whose reports I have read and reviewed. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, law enforcement officers, and witnesses.

3. I am aware that 18 U.S.C. § 2113(a) makes it a crime for anyone to use force and violence, or intimidation, to take any property, money or other thing of value belonging to, or in the care, custody, control, management, or possession of any bank, credit union or savings and loan association. I also know that as used in § 2113, the term "bank" means any member bank of the Federal Reserve System, and any bank, banking association, trust company, saving bank, or other banking institution organized or operated under the laws of the United States, including a branch or agency of a foreign bank and any institution the depositions of which are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration.

4. I make this affidavit in support of a criminal complaint charging Richard Charles Frey, date of birth: _____, Social Security Number (SSN) XXX-XX-9095, with one count of Bank Robbery, in violation of 18 U.S.C. § 2113(a). Because this affidavit is being submitted for the limited purpose of securing a complaint and arrest warrant for this one charge, I have not

included every fact known to me or other law enforcement officers concerning this investigation. I have set forth only the facts necessary to support the charge in the Criminal Complaint.

II. FACTS

5. On Wednesday, March 9, 2016, at approximately 15:26 hrs, a man entered the Wells Fargo Bank located at 7300 Jefferson Davis Highway, Chesterfield County, Virginia. He approached the counter and presented a note stating, "GIVE ME THE MONEY NOW." The bank employees complied with the man's demands, giving him United States currency that belonged to the bank. As the tellers were retrieving United States currency, the man reached over the counter and took the money from a teller's hand. The robber then fled the bank on foot with the United States currency. According to witnesses and video surveillance, the robber was wearing a black Nike baseball hat, a tan t-shirt, blue jeans and black Nike sneakers. A witness outside the bank observed the robber get into what appeared to be an older model green SUV type vehicle and speed off.

6. On Monday, March 14, 2016, your affiant received information from another FBI Field Office and out of state police departments that Richard Charles Frey is a suspect in multiple additional robberies in other jurisdictions, including in the State of New York. These agents informed me that Frey drives an older model, small Dodge Dakota pickup truck with a camper shell on the back. The truck is dark green in color and bears New York State license plates, which are black and orange in color.

7. On Tuesday, March 15, 2016, your affiant received information from the FBI in New York that suspect Richard Charles Frey may have been in the Chesterfield County area at the time of the Wells Fargo robbery described above. Specifically, they told your affiant that on 3/8/16, at approximately 17:29hrs, an individual used a debit style card that is unique to Richard Charles Frey at 2320 Willis Road, Chesterfield, VA, which is a gas station. A review of the surveillance footage at this location shows an older model, small green Dodge pickup truck with a camper shell on the back. The colors on the license plates are consistent with those used in New York State.

8. The subject on store surveillance at 2320 Willis Road, Chesterfield, VA on 3/8/16 is wearing blue jeans, a black Nike baseball hat, black Nike sneakers and a tan t-shirt, which match the outfit that the robber was wearing during the Wells Fargo Bank robbery on 3/9/16 at approximately 14:26hrs. This address is also within close proximity to the Wells Fargo Bank. Your affiant has compared the individual in the store surveillance video and the one in the bank robbery footage and determined that they are the same individual. Your affiant has also viewed known photographs of Richard Charles Frey and he appears to be the person in both the store surveillance video and the individual in the bank robbery footage.

9. On 3/16/16, your affiant appeared in front of a Virginia State Magistrate and presented probable cause for the arrest of Richard Charles Frey. Based on that testimony, the magistrate issued a warrant against Frey for a violation of Virginia State Code Section 18.2-58.

10. On 3/17/16, Frey was located and arrested by the Marietta Ohio Police Department, Marietta, Ohio. Frey was arrested for the outstanding Chesterfield County, VA robbery warrant. He was in his dark green, Dodge Dakota pickup truck with the camper shell on the back. The vehicle was also bearing New York State license plates.

11. On 3/21/16, Frey consented to a search of his vehicle by FBI Agents, Cincinnati Division. The search revealed a black Nike baseball hat and black Nike sneakers that are both believed to have been worn in the Wells Fargo Bank robbery on 3/8/16 in Chesterfield County, VA

12. The Wells Fargo Bank is located at 7300 Jefferson Davis Highway, Chesterfield County, Virginia, and was insured by the Federal Deposit Insurance Corporation at the time of the robbery described above. A certificate regarding the insurance is displayed at the Bank. The Wells Fargo Bank was a "bank" within the meaning of 18 U.S.C. § 2113(a) and (f) at the time of the robbery.

III. CONCLUSION

13. Based on the aforementioned factual information, I respectfully submit that there is probable cause to believe that on March 9, 2016, Richard Charles Frey did, by force, violence and intimidation, knowingly and unlawfully take from the person and presence of another money belonging to and in the care, custody, control, management, and possession of the Wells Fargo Bank located at 7300 Jefferson Davis Highway, Chesterfield, Virginia, a bank insured by the Federal Deposit Insurance Corporation, in violation of 18 U.S.C. 2113(a).

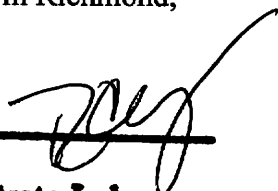
Respectfully Submitted,



Michael Morgott
Task Force Officer
Federal Bureau of Investigation

Reviewed by Stephen W. Miller, AUSA

SWORN and SUBSCRIBED to before me this 31st day of March, 2016, in Richmond, Virginia



/s/
Roderick C. Young
United States Magistrate Judge